

Africa



Our African Practice

Our depth of experience

Simmons & Simmons has been operating in Africa for over 20 years and has acted on matters in all of the 54 African nations. We advise on a huge variety of projects, including mining and natural resources, energy and infrastructure projects, telecoms and corporate deals, as well as finance and project finance transactions and disputes.

We have an alliance for Africa work with international firm Fasken Martineau, which has an office in Johannesburg. In addition, we have signed non-exclusive alliance agreements with Kampala Associated Advocates (KAA) in Uganda, KSK Société d'Avocats

(KSK) in Côte d'Ivoire, and MC&A in Mozambique, Angola, Cape Verde, Guinea Bissau and Sao Tome & Principe. This gives us a footprint in eight jurisdictions in Africa and a strong boost to our offering on the continent.

Our reach

Our team from our international offices in Europe, the Middle East and Asia has the skills and resources to advise on any transaction, no matter how challenging or unusual, in any jurisdiction. We advise clients from all parts of the world on English, French and OHADA law, as well as on a number of local law issues.

We have also formed strong relationships with local counsel throughout Africa to enable us to combine our expertise with local law advice, and so to deliver an efficient and comprehensive service.

A genuine understanding of Africa

Our experience allows us to offer our clients an in-depth understanding of local and regional issues and to help them overcome specific jurisdictional challenges, as recognised in the Chambers Global directory which noted that "Simmons truly understands the nuances of the African markets".

Some highlights of our African experience:

Mining & Natural Resources

- **Resource Capital Funds and Africa Finance Corporation** in relation to equity and debt investment into a major bulk commodity mining project in West Africa
- **Orion Resource Partners/Orion Mine Finance** on its debt financing arrangements relating to Ongopolo Mining Limited and on copper offtake arrangements from Ongopolo's Tschudi open pit copper mine in Namibia
- **Burkina Faso** subsidiary of an AIM listed company in an ad hoc arbitration against a Ghanaian company arising out of the supply of materials for a gold mine including highly toxic materials
- **Armada Exploration Limited** in relation to the development of copper, zinc and cobalt projects in Gabon
- **First Quantum Minerals** on mining projects in the Democratic Republic of Congo, Mauritania and Mali, including renegotiation of mining contracts led by the DRC government and international arbitrations
- **a sponsor** on the \$2.1bn Ambatovy project in Madagascar, one of the largest nickel and cobalt-mining and processing ventures in the world with an integrated mine and power plant
- **African Minerals Limited** on its operations in Sierra Leone, including capital raising and joint venture arrangements

Power

- **Absa**, the **Development Bank of Southern Africa** and the **other Mandated Lead Arrangers** in respect of the project financing of the 140MW Khobab, 140MW Loeriesfontein 2 and 80MW Noupoot wind farms in connection with the third round of South Africa's IPP renewable energy programme
- **a consortium** on the Inga 3 hydro project in the Democratic Republic of Congo
- **AES** on the **Dibamba** and **Kribi** IPPs in Cameroon, which were the first two IPPs in Cameroon to reach financial close
- on a **concentrated solar project** in Morocco as well as a number of other thermal and renewable power projects in Morocco and Algeria
- **a project sponsor** on the US\$ 5.2bn Mmamabula coal to power project in Botswana
- **The Government of Swaziland** on the Lower Maguduza Hydro power project

Telecoms

- **Africa Mobile Networks** on obtaining debt finance from multilateral bank The European Investment Bank, Ecobank DRC and Societe Generale Cameroon to fund construction of rural mobile tower networks in Cameroon and DRC
- **Safaricom** on various data monetisation programmes around their M-Pesa mobile money platform in Kenya
- **Etisalat** in connection with the disposal of its 92% stake in its subsidiary Canar, a Sudanese telecommunications operator in Sudan
- **MTN Group** on the sale and leaseback of mobile network towers by its subsidiaries in Rwanda and Zambia to IHS, for which the firm won "TMT Team of the Year" at the 2015 Legal Business Awards and the 2014 British Legal Awards
- the **Zambia Development Agency** on the privatisation of Zambia Telecommunications Company (Zamtel), the Zambian incumbent operator

Infrastructure

- **South Africa Railways** on the Government proposals and Transnet on the incorporation and restructuring of the various Spoornet business divisions
- on **a railway and port infrastructure development** in Guinea and Cameroon
- on the financing and modernisation of **airports** in the DRC
- **Government of the Republic of Somaliland** in respect of a concession arrangement with DP World FZE for the grant of a joint venture concession relating to the operation, management and maintenance of the sea Port of Berbera

Simmons & Simmons has worked in all of the 54 African Nations



Corporate Transactions

- **Mainstream Renewable Power** on the creation of a joint venture with pan-emerging markets investor Actis in relation to a Pan African renewable power platform
- **Mauritanian Copper Mines SA**, a subsidiary of First Quantum Minerals (FQM), on several aspects of its operations in Mauritania
- **Black & Veatch** in relation to its shareholding in the first IWPP in Algeria and the operation of the project, including advice on Algerian corporate and foreign exchange laws
- **AES** on its corporate affairs in Cameroon and on a potential joint venture in the Ivory Coast
- **Sitel** on corporate and commercial transactions in Morocco

Banking & Financial Markets

- **Invesco** on the disposal of its minority interest in Masawara plc, an investment company which focuses on projects in Zimbabwe and the Southern African region
- **Government of Nigeria** advising the underwriters on a number of sovereign Eurobonds issued by Nigeria
- **Government of Kenya** on its full scale Islamic finance-related regulatory reform, resulting in the Finance Bill 2017, and the drafting of the Nairobi International Financial Centre (NIFC) Bill
- **Government of Kenya** on a US\$750m loan facility from PTA Bank. This is the second loan we are doing for the Government
- **Barclays Capital and Absa** on its award winning umbrella structured export credit facility for Transnet's capital expenditure programme, export credit financing for Telkom of South Africa and the OeKB supported loan to the South African National Roads Agency
- a leading **South African bank** on a structured ECIC backed facility for an Angolan borrower
- **Standard Chartered Bank** on a facility for a Tanzania corporate

Oil & Gas

- **Government of Kenya, Ministry of Energy & Petroleum** on the commercialisation of its South Lokichar Basin oil discovery, paving the way for the first consignment of crude oil from the Turkana fields to be transported to Mombasa for export
- **as lender's counsel** in connection with the project financing of a bulk liquids terminal for the import and storage of gasoil, LPG and LNG at Sokhna Port, Egypt
- **Egyptian LNG** on all aspects of the development and financing of the Train 1 and Train 2 projects
- **a confidential LNG buyer** on the purchase of NNPC's equity LNG volumes from the OKLNG project in Nigeria
- **Galp** on the purchase of downstream assets in Swaziland, Gambia and Mozambique

Dispute Resolution

- **Kaupthing hf** in relation to the Commercial Court proceedings relating to a multi-currency debt of over £300m involving enforcement issues in the DRC and Angola
- **Nomihold Securities Inc** on the worldwide enforcement strategy of a US\$210m arbitral award
- **a global telecoms group** on international arbitration proceedings against a Nigerian telecoms company in relation to \$10m dispute over the provision of ICT services in Nigeria
- directing worldwide enforcement proceedings including in the **Nigerian High Court and Court of Appeal** against oil field interests (Masri v Consolidated Contractors)

"They seek to drive the simplest and most pragmatic solutions whilst remaining creative."

Chambers Global, 2017

"I have seen a fair amount of them in TMT in Africa over the last year or so," adding: "They are good in Africa for TMT."

Chambers Global, 2017

"Well-regarded team advising international corporate and financial clients on projects involving power, natural resources and water, with particular strength in oil and gas and mining projects across francophone, anglophone and lusophone Africa."

Chambers Global, 2017

"They stand out from the crowd in their proactiveness."

Chambers Global, 2017

"Prominent firm that distinguishes itself with its OHADA and francophone capabilities. Has a depth of corporate expertise representing domestic and international clients in the TMT, finance, projects and construction sectors."

Chambers Global, 2017

"They have dedication and enthusiasm for the market."

Chambers Global, 2017

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“The firm has significant and impressive experience in Africa generally, and specifically in regard to mining projects in various countries in Africa. They’re particularly strong in West Africa.”

Chambers Global, 2018

“They are responsive, efficient and very cost-effective – they are one of the best firms we use globally.”

Chambers Global, 2018

“They’re certainly in the top two or three mining finance law firms operating in Africa.”

Chambers Global, 2018

“They’re very international and have a wide range of skills and can bring in anything they don’t have, like local securities lawyers for example.”

Chambers Global, 2018

“They’re strong in Africa. They’re very good at what they do and are number one for francophone Africa.”

Chambers Global, 2018

“They provide sound advice, have good relationships in the local market and are flexible in meeting our schedule.”

Chambers Global, 2018

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